

**Remarks**

The application has been reviewed in light of the Office Action mailed September 8, 2004. Claims 1, 5, 7 and 25 have been amended, and claim 3 been cancelled by the foregoing amendments. No new matter has been introduced by the amendments. Reconsideration of the Office Action is earnestly requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 1-44 under 35 U.S.C. 102(b) as being anticipated by Kittrell et al. (U.S. Patent No. 5,104,392).

Claims 1, 2, and 4-24 of the present invention as amended each requires, among other elements, that the reflecting surface of the light-deflecting means is designed such that the light emerging from the light guide is reflected toward the site to be treated on the wall of the vessel in a fashion distributed uniformly over an entire circumference of the wall without rotation of any one of the light guide and the reflector about its longitudinal axis.

Kittrell et al. disclose an apparatus for diagnosis and removal of arterial or vascular obstructions by radiating laser onto the site through a laser catheter 10 having an optical shield 12 at the distal end of the catheter for radiating laser there-through.

However, Kittrell et al. fail to disclose any light-deflecting means having a reflector in which the reflecting surface is designed such that light emerging from the light guide is reflected toward the site to be treated on the wall of the vessel in a fashion distributed uniformly over an entire circumference of the wall without rotation of any one of the light guide and the reflector about its longitudinal axis. Among the disclosed embodiments of the Kittrell et al. reference, only FIG. 13B discloses a light-deflecting means in form of a reflector 225 whose reflecting surface is inclined to a longitudinal

direction of light guide 20. However, according to Kittrell et al., in order to distribute the light uniformly over an entire circumference of the wall, at least the reflector 225, or both of the laser guide 20 (in particular, plug 11) and reflector 225 must be rotated using additional equipment such as control wires 252a or actuator 225b. See column 14, lines 1-24 of the Kittrell et al. reference. Therefore, Kittrell et al. fail to disclose or teach the light-deflecting means of the present invention, which has a reflector and is particularly designed such that light emerging from the light guide is reflected toward the site to be treated on the wall of the vessel in a fashion distributed uniformly over an entire circumference of the wall without rotation of any one of the light guide and the reflector about its longitudinal axis, as required by claims 1, 2, and 4-24 of the present invention.

Accordingly, in view of the foregoing, claims 1, 2, and 4-24 are patentably distinct over Kittrell et al.

Claims 25-44 of the present invention as amended each requires, among other elements, that the reflecting surface of the light-deflecting means has an extension in circumferential direction about said longitudinal direction of said light guide such that the light emerging from the light guide is reflected toward the site to be treated on the wall of the vessel in a fashion distributed uniformly over an entire circumference of the wall without rotation of the light guide about its longitudinal axis.

As discussed above, Kittrell et al. disclose the reflector 225 positioned at a distal end of the light guide 20, which is rotatable in order to direct the light around the circumference. However, the reflector of the Kittrell et al. device is simply inclined to a longitudinal direction of the light guide, and does not have an extension in circumferential direction about the longitudinal direction of the light guide 20. Therefore, Kittrell et al. fail to disclose or teach that the light-deflecting means has an extension in circum-

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ferential direction about said longitudinal direction of said light guide such that the light emerging from the light guide is reflected toward the site to be treated on the wall of the vessel in a fashion distributed uniformly over an entire circumference of the wall without rotation of the light guide about its longitudinal axis, as required by claims 25-44 of the present invention.

Accordingly, in view of the foregoing, claims 25-44 are patentably distinct over Kittrell et al.

Accordingly, Applicants respectfully submit that all of the claims currently pending in this application (i.e., claims 1, 2 and 4-44) are now in condition for allowance. Favorable reconsideration and early notice to that effect is respectfully requested.

Respectfully submitted,



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Wesley W. Whitmyer, Jr., Registration No. 33,558  
Hyun Jong Park, Limited Recognition  
Attorneys for Applicants  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155